



# PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

DATE: September 25, 2019  
TO: Planning Commission  
FROM: Scott Clark  
Executive Secretary

SUBJECT: *Alvernon Broadway Area Plan Amendment PA-19-02, Amendment to Alvernon Broadway Area Plan Conceptual Land Use Map to Allow Commercial/Office/High Density Residential Uses Public Hearing (Ward 6)*

**Issue** – This is a request submitted by Robin Large of Lazarus, Silvyn, & Bangs, P.C, on behalf of Cole Valley Partners (CVP), to amend the *Alvernon Broadway Area Plan (ABAP)* Conceptual Land Use Map to change the subject site from Low Density Residential designation to Commercial/Office/High Density Residential designation. The amendment site is located along 22<sup>nd</sup> Street just east of the intersection with Alvernon Way and consists of three parcels (126-18-114A, -115A, and a portion of -111B). (See *Attachments A & B*).

The subject site is vacant and is currently zoned for office (O-3) and residential (R-2) uses. The site is designated in the *ABAP* for low density residential uses. CVP, if their amendment request is successful, will seek a rezoning of the three parcels to Commercial (C-1) to facilitate the development of a medical, professional office, or small commercial building. (See *Attachment C*)

**Recommendation** – Staff recommends that the Planning Commission forward the proposed plan amendment to the Mayor and Council with a recommendation to approve the applicants request to revise the Conceptual Land Use Map to allow Commercial/Office/High-Density Residential uses on the amendment site. (See *Attachment D*)

**Planning Commission Action** – On August 21, 2019, the Planning Commission held a study session on the plan amendment request. The Planning Commission recommended that this case be set for public hearing on the next available meeting date in September 2019. No comments or questions were made by the Planning Commission before setting the plan amendment request for public hearing.

**Applicant's Request** – The specific request is to amend the *ABAP's* Conceptual Land Use Map to allow commercial, office or high density residential uses for the entire area of the amendment site (126-18-114A, -115A, and a portion of -111B) located along 22<sup>nd</sup> Street just east of the Alvernon Way intersection (See *Attachment D*).

The proposed project for the plan amendment site will include a 1-2 story medical/professional office and/or a small-scale commercial building (4,000 sf) along 22<sup>nd</sup> Street. Primary access to the site will be along 22<sup>nd</sup> Street.

**Existing Zoning and Land Uses** – As previously noted the amendment site is vacant and currently zoned Office (O-3) and Residential (R-2). The amendment includes two full parcels and a portion of a third parcel (111B). 111B is an L-shaped parcel with frontage on Alvernon Way and 22<sup>nd</sup> Street. The western portion of the parcel along Alvernon Way is zoned C-1 and is designated on the *ABAP* Conceptual Land Use Map for commercial, office, or high density residential uses. The applicant is currently developing this portion of the parcel as a Dutch Bros. Coffee establishment.

The existing zoning immediately east of the amendment site is O-3 and is developed with a child care facility. The zoning just south of the amendment site, across 22<sup>nd</sup> Street, is Commercial (C-2); uses include fast food, a bakery and a pharmacy. To the north is a Residential (R-1) zoning district covering the San Gabriel neighborhood. The zoning in the area west of the site on the south side of 22<sup>nd</sup> Street is Commercial (C-3) and Residential (R-1). The Patrick K. Hardesty Midtown Multi-Service Center, which houses Tucson Police Department's Operations Division Midtown is located on the northwest corner of Alvernon Way and 22<sup>nd</sup> Street. The Randolph Golf Complex and Reid Park occupy most of the blocks to the west along the north side of 22<sup>nd</sup> Street. (*See Attachments E & F*)

**Land Use Policy Direction** – Policy direction is provided by the *ABAP* (1995), and *Plan Tucson* (2013). Key policies are summarized below; a complete policy listing is provided as Attachment G.

*Alvernon-Broadway Area Plan (1995)*: The purpose of the *ABAP* is to provide land-use policy direction and design guidelines for new development within the Plan boundaries. Office and commercial uses are primarily located along the major streets, such as 22<sup>nd</sup> Street, Broadway and Alvernon Way. New office and commercial development and redevelopment of existing uses are limited to the locations shown on the Conceptual Land Use Map. The plan supports such uses when primary access can be provided from an arterial street, all parking and maneuvering can be met onsite, or offsite on locations that have been historically used for parking in conjunction with the site, and screening and buffering for adjacent residential uses can be provided on-site.

*Plan Tucson (2013)*: *Plan Tucson* supports appropriate locations for commercial and office uses, with priority for development and redevelopment within existing urbanized areas. *Plan Tucson* promotes a mixture of commercial, office, and residential uses along major transportation corridors. It supports neighborhood-related commercial and office uses accessible from adjacent neighborhoods and located at the intersections of arterial streets, arterial and collector streets, or collector streets. *Plan Tucson* considers the expansion of commercial areas into adjoining areas when logical boundaries, such as existing streets can be established and adjacent residential property can be appropriately screened and buffered. It promotes redevelopment projects that reflect sensitivity to site and neighborhood conditions, and projects that stabilize and enhance the transition edge when adjacent to existing residential uses.

In *Plan Tucson*, the Future Growth Scenario Map designates the area of the amendment site as a Mixed-Use Corridor, which aims to provide a higher-intensity mix of jobs, services, and housing along major streets. Businesses and residences within these corridors are to be served by a mix of high-frequency transit options, as well as pedestrian and bike facilities.

**Public Contact** – At this time, staff has received no direct input from the public about this amendment proposal. The applicant held the required neighborhood meeting on Wednesday, June 5, 2019, 5:30 - 6:40 pm, at the Patrick K. Hardesty Midtown Multi-Service Center (1100 S. Alvernon Way). Four neighbors, the current property owners with their realtor and a representative from the Ward 6 Council Office, signed in for the meeting. The applicant presented an overview of the project, and outlined the process for undergoing a plan amendment and rezoning. After the presentation, questions were raised by the neighbors about the project's parking, and any cross-access drive between the site and Dutch Bros. Coffee. Additionally, neighbors raised concerns on whether a medical marijuana, rehab facility, halfway house or daycare center will operate in the new development. The applicant indicated that neighbors will receive invitations to any future public meetings. (*See Attachment H*)

**Discussion** – The applicant is requesting an amendment to the *ABAP* in order to allow commercial, office, or high-density residential uses through a change to the *ABAP*'s Conceptual Land Use Map in order to development a medical/professional office/small-scale commercial building. The amendment site is directly adjacent to 22<sup>nd</sup> Street, a major arterial street within the City.

Designated as low-density residential, the proposed land use change to commercial, office, or high-density residential provides an opportunity for development that is more appropriate along an arterial and adjacent to a major intersection. As an arterial street, 22<sup>nd</sup> Street functions as a major route through the City with a 150 right-of-way and 40 mph speed limit. Along the northern stretch of 22<sup>nd</sup> Street between Alvernon Way and Columbus Boulevard the land uses are primarily commercial (e.g., a coffee shop, a daycare, and retail shopping center), office, and vacant land. Plan policy supports a mix of commercial and office uses along arterial streets. Appropriate residential zones located along an arterial are typically R-3 (high-density residential), with low (R-1) and medium (R-2) density residential more appropriately located within the interior of residential neighborhoods. The proposed amendment request is consistent with the *ABAP*'s pattern of directing non-residential uses to the arterial streets that bound the neighborhood.

The amendment site is identified in *Plan Tucson* as a Mixed-Use Corridor, which encourages a higher-intensity mix of housing and services along high-frequency transit. Route 7, which runs along 22<sup>nd</sup> Street, is part of the Frequent Transit Network, which provides bus service at intervals of 15-minutes or less. The amendment site has remained vacant and undeveloped for over a decade and development of the area would provide infill along a major street with transit service while better buffering the neighborhood.

Site design issues related to the proposed non-residential uses will be addressed during a future rezoning as the development would be required to meet *ABAP* policy and design guidelines, such as requiring primary access be provided from an arterial, all parking be met on-site, and screening and buffering for adjacent uses. The *ABAP* policy and design guidelines will also further address compatibility with the adjacent residential uses during the rezoning should the plan amendment be successful.

**Conclusion** – Staff recommends that the Planning Commission forward the proposed plan amendment to the Mayor and Council with a recommendation to approve the applicants request to revise the Conceptual Land Use Map to allow Commercial/Office/High-Density Residential uses on the amendment site. (See Attachment D) This recommendation is based on the findings below:

The proposal:

- Is consistent with *Plan Tucson* and *ABAP* land use policy direction by allowing commercial and high-density residential uses along 22<sup>nd</sup> Street.
- Facilitates the development of commercial uses on 22<sup>nd</sup> Street, which is identified as a Mixed Use Corridor on the *Plan Tucson* Future Growth Scenario Map. This designation supports a higher-intensity mix of housing and services.
- Promotes the use of high-frequency transit, which runs along 22<sup>nd</sup> Street.
- Strengthens the commercial context generally found along this stretch of 22<sup>nd</sup> Street
- Directs commercial uses to an arterial street adjacent to a major arterial intersection (22<sup>nd</sup> and Alvernon), a more appropriate use for such a location than low-density residential.
- Is in alignment with *ABAP* Non-Residential Policy 2 by having primary access from an arterial street, meeting all parking requirements on-site, providing screening and

buffering for adjacent residential uses, and complying with the General Design Guidelines.

**Attachments:**

- A: Location Map
- B: Aerial Map
- C: Current *ABPA* Conceptual Land Use Map
- D: Proposed Changes to *ABAP* Conceptual Land Use Map
- E: Existing Zoning Map
- F: Existing Land Use Map
- G: Land Use Plan Policies
- H: Application and Materials